

Congress of the United States
Washington, DC 20515

April 5, 2017

President Donald J. Trump
1600 Pennsylvania Avenue, NW
Washington, DC 20006

Dear President Trump,

We write to express our encouragement and support for prompt executive action ensuring religious liberty protections for all Americans and look forward to working with you on complementary legislation.

During your campaign, you repeatedly expressed your commitment to defending religious liberties enshrined in our founding documents stating that, "...the first priority of my administration will be to preserve and protect our religious liberty. The First Amendment guarantees our right to practice our faith as we see fit... all the time, always, wherever." We share that sentiment in full and request that you sign the draft executive order on religious liberty, as reported by numerous outlets on February 2, 2017, in order to protect millions of Americans whose religious freedom has been attacked or threatened over the last eight years.

The draft executive order would undo the unworkable Health and Human Services (HHS) contraception mandate and also ensure that Americans are not coerced to buy abortion coverage under Obamacare exchange plans. Although the U.S. Supreme Court blocked enforcement of the contraceptive mandate against the Little Sisters of the Poor, absent a full Obamacare repeal, there remains a need for your administration to protect organizations and individuals from being coerced into providing or purchasing health coverage in violation of their faith and conscience.

There is also a critical need to adopt executive and legislative protections that prohibit government discrimination against health care providers that decline to participate in or perform abortion. Despite clear federal statutes to the contrary, medical professionals have been forced by their employing hospitals to assist in abortions and state governments such as California have required religious organizations to cover abortion in their health plans. To correct these abuses, Representative Diane Black of Tennessee has re-introduced H.R. 644, the Conscience Protection Act which you have pledged to sign into law.

Numerous times, you reiterated your support for restoring the free speech rights of charities and churches threatened by the unconstitutional nature of the Johnson Amendment. As you

may know, House Majority Whip, Representative Scalise of Louisiana and Representative Hice of Georgia jointly introduced the Free Speech Fairness Act, H.R. 781. Simply put, the underlying bill provides non-profits and faith-based congregations much needed relief from the specter of an Internal Revenue Service (IRS) investigation for incidental references to political events or candidates. The recent revelations of IRS targeting of conservatives groups, along with regularly-issued demand letters sent to churches by outside entities, has created a chilling effect on pastors from merely mentioning political events.

Executive and legislative action is also needed to protect religious liberty in light of the Supreme Court's recent redefinition of marriage. We were therefore greatly encouraged to see that the draft executive order contained protections similar to those in the First Amendment Defense Act (FADA), as introduced by Senator Lee of Utah and Representative Labrador of Idaho last Congress. During oral arguments in *Obergefell v. Hodges*, then Solicitor General Donald Verrilli stated that the nonprofit tax status of religious colleges could be jeopardized should they live out their traditional beliefs about marriage. FADA would, among other things, prohibit the federal government from denying a tax exempt status or withholding a government benefit, contract, or license due to one's belief that marriage is the union between one man and one woman. This legislation would prevent instances such as the USDA threatening to shut down meat-packing plants simply because they express their beliefs on marriage at their business.

We are encouraged that you have three times pledged in writing to sign the First Amendment Defense Act if passed by Congress, but you need not and should not wait for Congress to act before ordering the federal government to stop discriminating against individuals and institutions because of their reasonable beliefs on issues of deep concern to people of faith and good will.

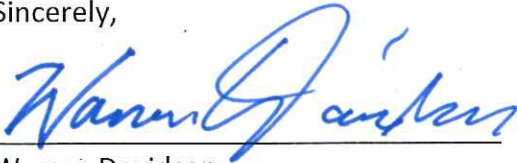
We also strongly support the Russell Amendment to the House-passed Fiscal Year 2017 National Defense Authorization Act and were very encouraged to see that the draft executive order explicitly incorporates the Russell Amendment's protections. The Russell Amendment would ensure that long-standing federal religious freedom protections for religious organizations would not be forfeited merely because they partner with the federal government. In this way, Catholic, Baptist, and Jewish charities, for example, can retain staffing policies that allow them to remain fully Catholic, Baptist, and Jewish and remain eligible to provide chaplain services for our men and women in uniform and to provide critical social services more broadly.

As you know, President Obama attempted to circumvent the democratic process through his unprecedented use of his "pen and phone" and to the extent his abuses can be undone by executive order, they should be. It is important to note, however, that none of the legislative or executive protections discussed above would repeal any Obama-era executive orders you have stated should remain intact. They do not take away anything from anyone. They only provide a shield from federal assaults on religious freedom.

Because religious liberty is of such importance and under such threat, we believe that the draft executive order should be signed without delay and that all the protections discussed in this

letter should be enshrined permanently in our laws. We look forward to coordinating with your administration on these efforts so that critical religious liberty and conscience protections may finally be restored to millions of Americans who have been harmed and left unprotected for far too many years.

Sincerely,



Warren Davidson
Member of Congress



Jim Banks
Member of Congress



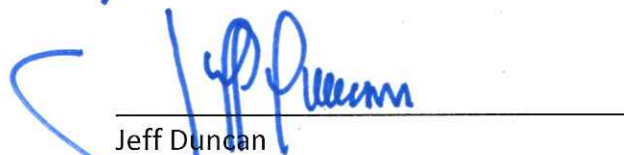
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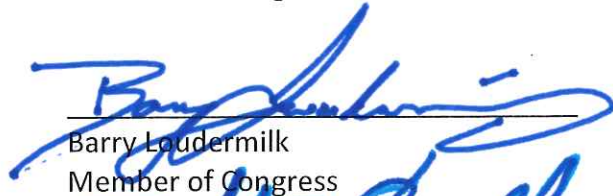
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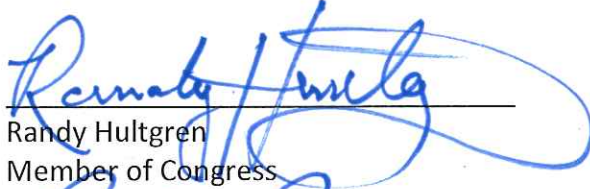
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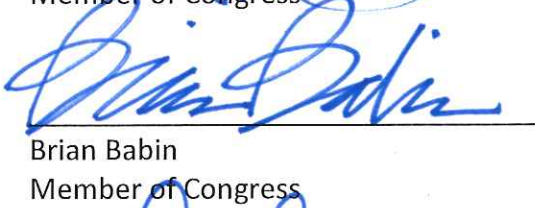


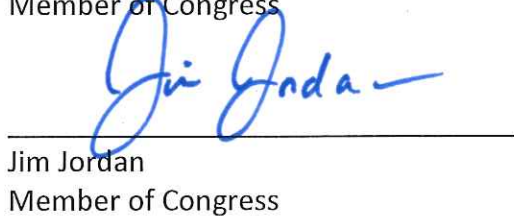
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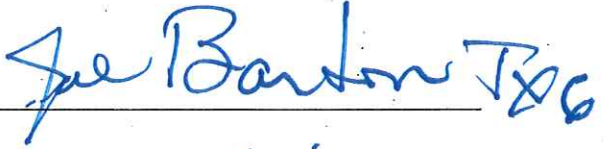

Doug Collins
Member of Congress

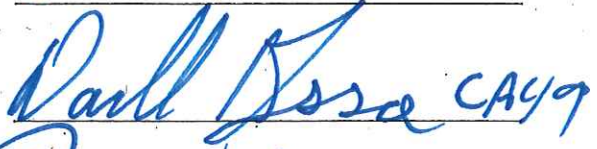

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Joe Barton TX-6

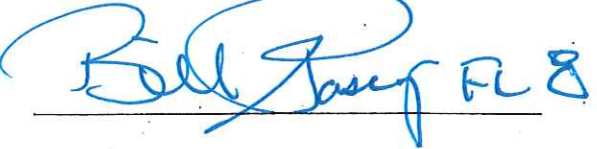

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